

RESOLUTION NO. 2012-23

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, ESTABLISHING THE NECESSITY AND PUBLIC PURPOSE FOR PERMANENT STORM WATER UTILITY EASEMENTS AND RELATED TEMPORARY CONSTRUCTION EASEMENTS FOR PURPOSES OF CONSTRUCTING, INSTALLING, BUILDING, OPERATING, AND MAINTAINING STORM WATER COLLECTION AND DRAINAGE INFRASTRUCTURE TO SERVE AREAS IN THE HARMONY KNOLLS (AMENDED), HARMONY HILLS #3 SUBDIVISIONS, IN THE GENERAL AREA NORTH OF STATE ROUTE 89A BETWEEN LYRIC DRIVE AND THUNDER MOUNTAIN ROAD, AND FURTHER APPROVING THE COMMENCEMENT OF CONDEMNATION PROCEEDINGS FOR ACQUISITION OF SUCH EASEMENTS.

WHEREAS, in order to proceed with the construction and extension of the City storm water drainage system, the public necessity, safety, and general welfare require the acquisition of temporary construction easements and permanent storm drainage utility easements in, on, under, through, and over private property for purposes of constructing, installing, operating, and maintaining such storm drainage utilities as are necessary for areas in the Harmony Knolls (Amended), and Harmony Hills #3 Subdivisions, in the general area north of SR 89A between Lyric Drive and Thunder Mountain Road, for the Harmony-Windsong Drainage Phase 4 Project; and


WHEREAS, if said easements cannot be obtained through informal negotiations with private property owners, the commencement of condemnation proceedings will be necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA THAT:

The public necessity, safety, and general welfare require the acquisition of temporary construction easements and permanent storm drainage utility easements in, on, under, through, and over private property. Said easements are necessary to serve the public purposes of constructing, installing, operating, and maintaining storm drainage utilities as are necessary for areas in the Harmony Knolls (Amended), and Harmony Hills #3 Subdivisions, in the general area north of SR 89A between Lyric Drive and Thunder Mountain Road, for the Harmony-Windsong Drainage Phase 4 Project.

If, in the discretion of the City Engineer, the necessary storm drainage utility and construction easements cannot be obtained by way of informal negotiations, the City Council hereby approves and authorizes the commencement of formal condemnation actions to acquire temporary and permanent easements pursuant to the engineering plans now in effect or which may be in effect in the future.

APPROVED AND ADOPTED by the Mayor and Council of the City of Sedona,
Arizona this 13th day of November, 2012



Robert M. Adams, Mayor

Attest:



Susan L. Irvine, CMC, City Clerk

Approved as to Form:



Mike Goimarac, City Attorney